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FILE ONLY

CU can't force anti-CIA group to pay security cost, judge rules

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BOULDER — The University of Colorado can't force an anti-CIA group to pay for extra police protection that has been ordered to monitor their protest Monday, a judge ruled Friday.

Such a payment, decided District Court Judge Morris Sandstead, would violate the Community in Action group's constitutional right to free speech.

"Isn't that the price we pay for living here in the United States: That some are going to say some things that we don't agree with, and society pays the cost for it?" asked Sandstead before his ruling.

The action came in response to a suit filed Friday by the American Civil Liberties Union, which represented Community in Action organizers.

The group of Boulder residents, CU students and faculty plans to make a "citizen's arrest" of CIA recruiters Monday.

But in a letter earlier this week, CU Police Chief John Towle notified protest leaders that they would have to pay the undetermined cost of "security and protective" measures that police will use Monday.

Police spent about \$5,500 and made 478 arrests during the group's three-day, non-violent protests last April against CIA recruiters, Towle said Friday.

Towle wrote to Community in Action after group organizers announced they would resist arrest by "sitting, lying down or going limp" because they wanted to make it "more expensive" for CU to allow CIA recruiting.

They also plan to attempt entering four entrances to Willard Hall, where CIA recruiters will be conducting interviews Monday.

CU's lawyer, Ted Ayres, told Sandstead that protest leaders should be subject to CU policy, which requires event organizers to pay for "costs associated" with usage of CU facilities. Organizers "intend to disrupt activities and do whatever it takes to increase the cost," Ayres argued.

But ACLU attorney Judd Golden said his clients are "of limited means" and that if they were forced to pay, it would "certainly chill" their right to free speech.

Sandstead agreed, adding that he finds it "ironic" Towle wrote his letter on Veterans Day.

"A lot of dead people are out there who fought for (free speech) to preserve it," he said.